

HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 4870 of 2001 (MS)
(Old No. 27056/1993)

Smt. Parwati Devi

..... Petitioners

Versus

Rent Control and Eviction Officer
Dehradun & others

..... Respondents

Dated: 20.9.2004

Hon. Rajesh Tandon J.

By the present writ petition the petitioner has prayed for a writ of certiorari quashing the order dated 10.2.1993 passed by the respondent no.1, Rent Control and Eviction Officer Dehradun.

Briefly stated the landlord has initiated the proceedings for vacancy. The R.C. & E.O. has found no substance in the application of the petitioner and accordingly rejected the same.

Heard the counsel for the petitioner.

The Rent Control and Eviction Officer has not explained as to how the respondents entered into the possession. The matter is, therefore, sent back to the Rent Control and Eviction Officer to decide the question of vacancy afresh. Parties are permitted to lead the further evidence.

It the petitioner is already in possession she shall continue in possession and it shall be deemed to be released in her favour.

Subject to the aforesaid fact, the writ petition is disposed of. No order as to costs.

(Rajesh Tandon J.)

20.9.2004

*Dhyani